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\*E-FILED 10/28/08\*

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6 **Attorneys for Plaintiff**  
7 **J & J Sports Productions, Inc.**

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 **J & J Sports Productions, Inc.,**

**CASE NO. CV 08-3405 RS**

11 **Plaintiff,**

**STIPULATION OF DISMISSAL OF**  
12 **PLAINTIFF'S COMPLAINT**

13 **vs.**

**AGAINST DEFENDANT LAN THU**

14 **Lan Thu Tran, et al.**

**TRAN, individually and d/b/a NHA**  
15 **HANG NGON A/K/A DESESPERADO**  
16 **A/K/A LAI RAI**

16 **Defendant.**

**AND ORDER THEREON**

17  
18 **IT IS HEREBY STIPULATED** by and between Plaintiff J & J SPORTS  
19 PRODUCTIONS, INC. and Defendant LAN THU TRAN, individually and d/b/a Nha  
20 Hang Ngon a/k/a Desesperado a/k/a Lai Rai, that the above-entitled action is hereby  
21 dismissed **without prejudice** against LAN THU TRAN, individually and d/b/a Nha  
22 Hang Ngon a/k/a Desesperado a/k/a Lai Rai and subject to the Court's jurisdiction to  
23 enforce the settlement agreement reached between the Parties.

24 **IT IS FURTHER STIPULATED** that provided no Party referenced above has  
25 filed a motion to reopen this action by March 1, 2009, this Court shall *not* have  
26 jurisdiction to set aside the dismissal and the dismissal shall be deemed to be **with**  
27 **prejudice.**  
28

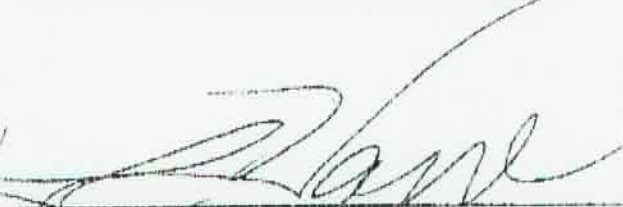
1 This dismissal is made pursuant to Federal Rules of Civil Procedure 41(a)(1).  
2 Each Party referenced-above shall bear its own attorneys' fees and costs.  
3  
4

5  
6 Dated: September 25, 2008

  
LAW OFFICES OF THOMAS P. RILEY, P.C.

By: Thomas P. Riley  
Attorneys for Plaintiff  
J & J SPORTS PRODUCTIONS, INC.

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8  
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11  
12  
13 Dated: 10-28-08

  
GARY HARRE, ATTORNEY AT LAW

By: Gary Harre, Esquire  
Attorneys for Defendant  
LAN THU TRAN,  
individually and d/b/a  
NHA HANG NGON A/K/A DESESPERADO  
A/K/A LAI RAI

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23 IT IS SO ORDERED:



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26 The Honorable Richard Seeborg  
27 United States District Court  
28 Northern District of California

Dated: October 28, 2008

STIPULATION OF DISMISSAL  
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**PROOF OF SERVICE (SERVICE BY MAIL)**

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is First Library Square, 1114 Fremont Avenue, South Pasadena, California 91030. I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On September 25, 2008, I served:

**STIPULATION OF DISMISSAL OF PLAINTIFF'S COMPLAINT  
AGAINST DEFENDANTS LAN THU TRAN, individually and d/b/a NHA  
HANG NGON A/K/A DESESPERADO A/K/A LAI RAI**

On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

Gary Harre, Esquire  
GARY HARRE, ATTORNEY AT LAW  
3024 E. Anaheim St.  
Long Beach, CA 90802

Attorneys for Defendant

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct and that this declaration was executed on September 25, 2008, at South Pasadena, California.

Dated: September 25, 2008

  
INESA MAMIDJANYAN